

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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DEC 21 2004

COMPLAINT OF INDIANA BELL
TELEPHONE COMPANY,
INCORPORATED D/B/A SBC INDIANA
FOR EXPEDITED REVIEW OF A DISPUTE
WITH CERTAIN CLECS REGARDING
ADOPTION OF AN AMENDMENT TO
COMMISSION APPROVED
INTERCONNECTION AGREEMENTS

INDIANA UTILITY
REGULATORY COMMISSION
CAUSE NO. 42749

You are hereby notified that on this date the Presiding Officers in this Cause make the following Entry:

On December 7, 2004, Access One, Inc. ("Access One"), a Respondent in this Cause, filed: 1) *Motion of Access One, Inc. to File Instantly Its Motion to Dismiss SBC's Complaint* ("Instantly Motion") and 2) *Access One, Inc.'s Motion to Dismiss SBC's Complaint* ("Motion to Dismiss"). It is not clear to the Presiding Officers as to why Access One considers its Motion to Dismiss to be late-filed. We are not aware of a deadline by which the Motion to Dismiss must be filed. And while we might speculate as to the legal authority or other relief being contemplated by Access One, it would not be appropriate to do so since Access One has specifically requested approval to late-file a motion to dismiss and has made no mention of any other purpose.

The Presiding Officers consider the Motion to Dismiss to be a properly filed motion in this Cause. On December 15, 2004, the Complainant in this Cause, Indiana Bell Telephone Company, Incorporated d/b/a SBC Indiana, filed a Response to the Motion to Dismiss. The Presiding Officers do not, at this time, intend to rule on the Instantly Motion.

IT IS SO ORDERED.

Handwritten signature of Judith G. Ripley.

Judith G. Ripley, Commissioner

Handwritten signature of William G. Divine.

William G. Divine, Administrative Law Judge

12-21-04

Date